

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAMRA L. BAXTER

Defendant.

8:18CV542

ORDER CONFIRMING SALE

This matter is before the Court on the Motion to Confirm Sale, ECF No. 24, filed by Plaintiff United States of America. For the reasons stated below, the Motion will be granted and the sale of the property described in the Court's Default Judgment and Order of Sale (the "Property") will be confirmed.

DISCUSSION

On July 2, 2019, the Court entered a Default Judgment. ECF No. 19. Plaintiff applied for an Order of Sale from the Clerk of the United States District Court. ECF No. 20. The Clerk of Court issued an Order of Sale on July 26, 2019. ECF No. 21.

Plaintiff published the Notice of Marshal's Sale as required by the Default Judgment. ECF Nos. 22 & 23. At the time and place stated in the Notice, the property described in the Court's Judgment was offered for sale by the U.S. Marshal for the District of Nebraska. ECF No. 23. The U.S. Marshal filed a Return of Service of Writ Foreclosure Sale, ECF No. 23, indicating that on September 30, 2019, the Property was auctioned for sale as a single unit pursuant to the Default Judgment and Order of Sale.

The Return also indicated that the total proceeds derived from the sale of the Property was the sum of \$80,500.00 and that the highest bidder for the purchase of said

property was Nvestco, L.L.C. *Id.* Foreclosure Supervisor for the United States Department of Agriculture, Carla Lee, submitted an Affidavit stating that sale of the Property for a sum of \$80,500.00 represents a fair price for the Property as of the date of sale under the circumstances, and that any subsequent sale would not produce any greater amount. ECF No. 25-1.

Having reviewed the record, the Court concludes the Property was sold for fair value to the highest bidder thereon under the circumstances and conditions of the sale, and a subsequent sale would not realize a greater return of proceeds. Accordingly, the sale will be confirmed.

IT IS ORDERED:

1. The Motion to Confirm Sale, ECF No. 24, filed by Plaintiff United States of America, is granted;

2. The sale of the Property, as described in the Return of Service of Writ Foreclosure Sale, ECF No. 23, is confirmed;

3. The United States Marshal shall make and deliver his deed to the purchaser of the Property; and

4. The Clerk of Court is directed to make disbursements of the proceeds of the sale as set out in the Default Judgment, ECF No. 19.

Dated this 14th day of November, 2019.

BY THE COURT:

s/Laurie Smith Camp
Senior United States District Judge